

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JAMES C. Thornton # 349-1313-296

13CV8912

(In the space above enter the full name(s) of the plaintiff(s).)

COMPLAINT

under the

Civil Rights Act, 42 U.S.C. § 1983  
(Prisoner Complaint)

Jury Trial: ☒ Yes ☐ No  
(check one)

<sup>-against-</sup>  
Thomas Moroney 16766  
N.Y.P.D. 25th Precinct; 120 East 119 St.  
New York, N.Y. 10036. Supreme Court  
State of New York - Criminal Court  
A.Park 100 Centre Street New York, N.Y.  
10006. A.D.A. William Mason,  
New York City Correctional Service  
Warden Arquer A.M.K.C  
18-18 Hazen Street, East Elmhurst N.Y. 11730.

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

I. Parties in this complaint:

- A. List your name, identification number, and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff

Name

James Thornton

ID #

349-13-13-296

Current Institution

A.M.K.C. - C-95

Address

18-18 Hazen Street

East Elmhurst, N.Y. 11730.

- B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1

Name

Thomas Moroney

Shield #

16766

Where Currently Employed

N.Y.P.D.

Address

120 East 119 Street

New York, N.Y. 10036

Defendant No. 2 Name William Mason Shield # \_\_\_\_\_  
 Where Currently Employed District Attorney  
 Address 100 Centre Street  
New York, N.Y. 10006

Defendant No. 3 Name Arguer Shield # \_\_\_\_\_  
 Where Currently Employed Warden  
 Address 18-18 Hazen St.  
East Elmhurst N.Y. 11730

Defendant No. 4 Name \_\_\_\_\_ Shield # \_\_\_\_\_  
 Where Currently Employed \_\_\_\_\_  
 Address \_\_\_\_\_

Defendant No. 5 Name \_\_\_\_\_ Shield # \_\_\_\_\_  
 Where Currently Employed \_\_\_\_\_  
 Address \_\_\_\_\_

## II. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. In what institution did the events giving rise to your claim(s) occur?  
A.M.K.C. Manhattan House

B. Where in the institution did the events giving rise to your claim(s) occur?  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

C. What date and approximate time did the events giving rise to your claim(s) occur?  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

D. Facts:

What happened to you?

Who did what?

Was anyone else involved?

Who else saw what happened?

IS on ATTACH Sheets of Paper which is As Followed: my Constitutional Rights have been VIOLATED Pursuant to Police Officer NAMELY Thomas MURPHY Shield # 16766 He Sexually PLAYED with my parts on MY Body Parts N.Y.P.D - Supreme Court of Criminal term Part (A) Raymond Low Shield # 28922 25th St. N.Y. Narcotics Boro Manhattan North A.M.K.C Rikers Island - take to take Medical and mental Health - The warden Angela and her team of staff: I SUFFER FROM P.E. Bloodclots Because of my I.N.R levels the following Defendants are Responsible my Issue Such as Medical, Mental Health, and providing me a Bed that they VIOLATED there own Policy I Request UP TO 20,000,000 Dollars for damages of my Body.

### III. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

It did not get Medical Treatment until days later that made me sicker and not well AT ALL I take Commendant (WATIN) 6.5 mg every day to stay alive and other such meds too

### IV. Exhaustion of Administrative Remedies:

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes ☐ No ☒

If YES, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

Yes ☒ No ☐ Do Not Know ☐

C. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claim(s)?

Yes ☐ No ☒ Do Not Know ☐

If YES, which claim(s)? \_\_\_\_\_

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose?

Yes ☒ No ☐

If NO, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes ☐ No ☒

E. If you did file a grievance, about the events described in this complaint, where did you file the grievance?

1. Which claim(s) in this complaint did you grieve? D.C.C.S.

2. What was the result, if any? NO ANSWER

3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to the highest level of the grievance process. NONE

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here: \_\_\_\_\_

Because it is the Courts, NYPD  
DOES

2. If you did not file a grievance but informed any officials of your claim, state who you informed,

usc - 1983 F.L.S

when and how, and their response, if any:

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

**Note:** You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.

**V. Relief:**

State what you want the Court to do for you (including the amount of monetary compensation, if any, that you are seeking and the basis for such amount). To have All persons To get

are seeking and the basis for such amount). To have All person To get A Bed and See Doctor and Nurses on a timely Fashion and mental health providers

**VI. Previous lawsuits:**

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes \_\_\_\_\_ No ☒

**On  
these  
claims**

- B. If your answer to A is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another sheet of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff \_\_\_\_\_

Defendants \_\_\_\_\_

2. Court (if federal court, name the district; if state court, name the county) \_\_\_\_\_

3. Docket or Index number \_\_\_\_\_

4. Name of Judge assigned to your case \_\_\_\_\_

5. Approximate date of filing lawsuit \_\_\_\_\_

6. Is the case still pending? Yes \_\_\_\_\_ No \_\_\_\_\_

If NO, give the approximate date of disposition \_\_\_\_\_

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

On  
other  
claims

- C. Have you filed other lawsuits in state or federal court otherwise relating to your imprisonment?

Yes \_\_\_\_\_ No ☒ \_\_\_\_\_

- D. If your answer to C is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff \_\_\_\_\_

Defendants \_\_\_\_\_

2. Court (if federal court, name the district; if state court, name the county) \_\_\_\_\_

3. Docket or Index number \_\_\_\_\_

4. Name of Judge assigned to your case \_\_\_\_\_

5. Approximate date of filing lawsuit \_\_\_\_\_

6. Is the case still pending? Yes \_\_\_\_\_ No \_\_\_\_\_

If NO, give the approximate date of disposition \_\_\_\_\_

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) \_\_\_\_\_

\_\_\_\_\_

*NONE OF THE ABOVE*

I declare under penalty of perjury that the foregoing is true and correct.

Signed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Signature of Plaintiff

Inmate Number

Institution Address

Mr. James Thornton  
#349-13-13296 / N. 05502  
18 R Hazen St.  
East Elmhurst N.Y. 11730

**Note:** All plaintiffs named in the caption of the complaint must date and sign the complaint and provide their inmate numbers and addresses.

I declare under penalty of perjury that on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff:

James Thornton

Accordingly, Please take Notice That MY NAME is Mr. James Thornton I am 49 years old I was Arrested on 8/28/2013 for the Following: PL 220.16 Criminal Possession OF a Controlled Substance in the third Degree, and PL 220.06 Criminal Possession OF a Controlled substance in the Fifth Degree: This Action Accordingly From Police Officer Thomas Moroney, Shield 16766 OF the 25<sup>th</sup> PT. Narcotic Borough Manhattan North, States The Above: About 11:24 AM: The police officers such AS Police Officer Raymond Low, shield 28922 OF the 25<sup>th</sup> PT. Narcotics Boro Manhattan North stated: That he observed me James Thornton display heroin To a unknown individual: and Not Apprehene Such person That I intended to Sell To. These Police officers I believe intended To have me put away Because I go to a program Call keth israel on park Avenue They Follow people like myself. I Am a Recovering Addict - That live AT SUS in Brooklyn N.Y. I travel From Brooklyn to Manhattan to go to my program, These Police Officer Stop me on a 123 St and Lexington Avenue because I Am Black AFRA - American who is trying to get my life together, with the Help of my program and my Religion is Islam and I Feel that my Constitutional Rights have Been Violated By the Above Police officers, The Stop + Frisk is illedge.

(1)



These Police Officers force their hands on me by taken my pants down to take medication that help me with High Blood pressed and Depression medication, the Police Officers From The 25th P.T. Never took 22 pill of Alprazolam and Refuse to state what other medication OFF my persons, they Fail on my Penis and took my Socks look for drugs. They when in my underwear in the Streets OF New York 123rd and Lexington Ave.

I Am very Depress About Being Sexual . hand by a white Police officer. I got very sick From not having my medication I thought that I was going to die, Officer Moroney # shield 167966 Put 2 xamp into my mouth and Refuse to take me to the Hospital. When I got to Criminal Court and the New York County. I was Assign To a great Lawyer Namely Rick Pasacreta - Pasacreta 18B (212) 706-8614 - My lawyer Request That I get medical treatment at A.M.K. AT - Rikers Island. When I Got to intake I Have NOT GOTTEN a Bed or Seen a Doctor within 24 hr

(2)

I seen a Doctor 8/30/13 I was very  
 Sick or ill - I seen a mental Health provider  
 About 2 weeks later From my Arrival AT  
 A.M.K.C a take PyRo-Depression Medication  
 A.M.K.C is Also in Violation of their  
Polosies Policy and medical Violations  
 My Booking Case 349-13-13296-NYSD  
 05509729-J - Docket # 2013 NY 066983  
 D.O.C.S of the City of New York  
 Classification (Form 4100A) use old  
 and New charges to classify me  
 with Highest charge <sup>PL</sup> 220.16 - PL 220.16  
 To detox me off my medication -  
 which is a violation of my Constitutional  
 Rights, This is very Malfeasance.  
 America is the land of great ~~est~~  
 The Criminal Court of the City of New York  
 County of New York: The People of the State  
 of New York against James Thornton Reduce all  
 Felony charges was Reduce to PL 220.03  
 By the ADA William Mason (212) 335-4250  
 Than PL 220.03 should Be Dismiss - - - - -  
 These Police Officers namely the above in  
 citation lied on There Police Reports.

I AM SEEKING 20,000,000 dollars for a Racial Profile Against N.Y.P.D 25<sup>th</sup> P.T. For not having probable cause to Arrest me, James Thornton and not Allowing me to walk the street of New York City, Harlem East - What The N.Y.P.D has done was unconstitutional, Accordingly To Federal Judge Shira Scheindlin with the Allen Moya Lawsuit I James Thornton walk with a cane to get Around I N.Y.P.D took my cane you Arresting me and Type out False Addresses and charges me with Felonies To Get the DA to send me upstate to made money off me and other Black and hispanic men. My complaint is that another way of Slavery. And that I Suffer From Bloodclots Call PE Medical terminology and Mental terminology That I AM Call Schizophrenia and take Medication for my illness, The N.Y.P.D was very Malice towards me and other Black and Hispanic men. Upon these officers one That stop me was white male he ~~grab~~ grab my (Sus) identification off my Neck and started to pull my Pant down To Get my medication which was in my underwear and he felt on my penis, I said what are you doing, He Responded and Said he was doing his Job, He Also Said That sit down on the ground He took off my Socks and sneakers and public, without taken me to the Precinct To do all these things. This officer Namely in Quotation above, Acted Like he was a doctor and accuse me of Having 22 Alprazolam)

and Refuse to mention the Additional Pills  
That was cat. press for High Blood press That I  
use. While in the 25th P.T. He gave he 2 xanaxs  
and 1 Blood press pill to take. He Refuse to take  
me to the hospital - I am stating That my  
Constitutional Rights have been Violated By the  
N.Y. P.D. I Requested a Lab Report From  
my Lawyer, Namely Rick Pasacreta) PasareLA  
Telephone Number (212) 706-8614.

The Police Report is in Fact Malfeasance  
and The A.D.A. Named William Mason has  
Reduce his Felony Complaint to Misdemeanor  
when this case should have been Dismiss,  
Pursuantly this case is going to trial.

The evidence sound By Law is UnReasonable, The N.Y.P.D intentionally conspire to Fabricate evidence against me. Like the Police Report and charges that was type out. I have Been incarcerated Since 8/28/2013 and my next Court Date is 10/23/13. To see if a motion to Be ANSWER on That Date. Accordingly to my Lawyer. The ADA offer 6 months, my Lawyer will start to GET it lower TO 4 months, To see if I take it. For such manipulating and Fabricate and UNReasonable and concealed OF Truth and --- exculpatory evidence I hope for a dismissable. Accordingly a Federal Judge Shira Scheindlin decision earlier in 2010 Agree That Allen Moya claim was Racial Profile by the SAME Harlem 25th Precinct was UNLAW Ful Search and False Arrest on Sept 15, 2010. all charges was dismissed on Feb, 23, 2011. A LAW enforcement said the charges were drug Related. As you have Been Read I have cite the truth About my claim, Also I Go Forward on Saying that I was not Selling any thing As These Bad Cops Say. I Am one who have travel Many waters and understand That Many Black and Latino in the Five Boro of New York Go throw the Same Situations every day. But the Reality is that it is every unconstitutional To Stop + Frisk People of color Such As James C. Thornton and the People OF the State OF New York are trying to correct what seem to Be out (5)